

DENTAL QUALITY ASSURANCE COMMISSION
BUSINESS MEETING MINUTES
THURSDAY, June 7, 2007
(Subject to DQAC approval)

MEMBERS PRESENT:

Pramod K. Sinha, DDS, Vice Chair
Abdul Alkezweeny, PhD., Public Member
Padmaraj Angolkar, DDS
Robert Faine, DDS
Karen Homitz, DDS
Bernard Nelson, Public Member

Fred Quarnstrom, DDS
Jessica Saepoff, DDS
Marshall Titus, DDS

MEMBERS ABSENT:

John Davis, DDS, JD
Terry Hauck, MD, DDS
Mark Koday, DDS, Chair
Lorin Peterson, DDS
Russell Timms, DDS

STAFF PRESENT:

Joy King, Executive Director
Lisa Anderson, Health Service Consultant 3, Program Management
Taylor Stair, Acting Health Service Consultant 3, Case Management Unit
Sandra Adix, Assistant Attorney General - Advisor
Mark Triplett, Staff Attorney, DOH
Elyette Weinstein, Staff Attorney, DOH
Mike Brown, Staff Attorney, DOH

OTHERS PRESENT:

Gary Franklin, MD – Department of Labor and Industries - **Presenter**
John Furman, Department of Labor and Industries - **Presenter**
Terre Harris, Harris Biomedical - **Presenter**
David Hemion, Assistant Executive Director – Washington State Dental Association (WSDA)
Joan Martin, Washington State Dental Assistant's Association (WSDAA)/Dental Assistant Educator
Dan Greenwald, Washington Association of Nurse Anesthetists (WANA)
Karla Sylvester, Clark College
Jana Anderson, Clark College
Maxine Janis, Dental Hygiene Educator
Melissa Johnson, Lobbyist, Washington State Dental Hygienists Association (WSDHA),
Willamette Dental
Bracken Killpack, WSDA

Lynn McDonough, WSDAA
Andy Henderson, WSDAA
Colleen Gaylord, RDH, WSDHA
Trudy Benzel, Yakima Valley Community College, Dental Hygiene Department
Ona Canfield, RDH, Seattle Central Community College
Marianne Baker, Shoreline Community College
Ardean Nickerson, Eastern Washington University, Dental Hygiene Department
Jolene Hartnett, Seattle Central Community College
Shawn McVay, Seattle Central Community College
Lynn Stedman, Columbia Basin College

OPEN SESSION – 5:30 p.m.

1. CALL TO ORDER – Pramod Sinha, DDS, Vice Chair called the meeting to order at 5:50 p.m.

- 1.1. Introduction of Audience: The audience introduced themselves.
- 1.2. Approval of Business Meeting Agenda: Approved as presented.
- 1.3. Approval of the April 13, 2007 business meeting minutes: Approved as presented.
- 1.4. Approval of the April 13, 2007 panel A & B minutes: Approved as presented.
- 1.5. Approval of the May 3 and 8, 2007 disciplinary hearing minutes: Approved as presented.

2. PRESENTATIONS

- 2.1. Gary Franklin, MD, Department of Labor and Industries presented Guidelines on Opioid Dosing for Chronic Non-Cancer Pain. Dr. Franklin provided a PowerPoint presentation and handouts to the commission on the new guidelines on Opioid dosing. The Commission requested that the presentation be forwarded to each of them via e-mail.
- 2.2. John Furman, Department of Labor and Industries, OSHA/WISHA gave an informative presentation on issues related to OSHA/WISHA standards. The Commission requested that links be attached to the DQAC webpage to provide dentists with access to this information.
- 2.3. Mr. Terre Harris, Harris Biomedical asked the commission to consider editing the current infection control rules to add requirements for compliance with CDC/WISHA requirements. Mr. Harris provided the commission with an Infection Control Manual, produced by the Ohio State Dental Board, and suggested something similar might be useful to Washington dentists. Mr. Harris suggested that WSDA print an article on OSHA/WISHA requirements and that DQAC review its current WAC's and provide links to OSHA/WISHA on its website. Mr. Furman will provide this information to staff.
- 2.4. Sandra Adix, Assistant Attorney General provided the commission with handouts and a visual walkthrough of the Executive Ethics Board's new website. Ms. Adix encouraged commission members to review the site, particularly the question and answer section and past advisory opinions. Staff distributed a recently updated Ethics

manual, entitled “Ethics, A principled Approach to the Ethics in Public Service Act”, dated August 2006. Ms. Adix will provide a review of the Open Public Meetings Act at the July 2007 meeting.

- 2.5. Pro-Bono services as a Disciplinary Sanction: Dr. Marshall Titus re-presented this topic to the commission, requesting consideration of using this as a tool in disciplinary sanctions. It was discussed this could be an option in cases related to failure to renew, or failure to complete required continuing education coursework. He indicated this has been very useful in the state of Maryland. Ms. Adix indicated that she would like to conduct a legal analysis to confirm if this is something that could be considered under chapters 18.32 RCW, and 18.130 RCW, and to determine any potential liability risks. She hopes to have the analysis completed no later than the September 2007 meeting.

3. PROGRAM REPORT – Joy King, Executive Director; Lisa Anderson, Health Services Consultant; Taylor Stair, Disciplinary Manager; Staff Attorneys.

- 3.1. Budget Report: March and April 2007 interim operating reports were provided to the Commission. Lisa Anderson reported that the budget deficit continues, although there is an expectation that some encumbered funds will be released prior to the end of the biennium on June 30, 2007.
- 3.2. Legislation:
- SHB1099 – Regulating certain dental professions – Dental Assistants and Expanded Function Dental Auxiliaries – Staff reported that this bill passed the 2007 legislative session and that development of an implementation plan is underway. Staff is also preparing the CR-101 pre-proposal to announce intent to begin rulemaking.
 - Several stakeholders including dental hygiene educators, dental assistant educators, students, and other interested parties provided comments indicating their willingness to support implementation of this legislation. It was encouraged that they meet and come to agreement on concepts and to be prepared to present them to the commission during the rule making process.
 - SHB1298 – Regarding dental hygienist employment by health care facilities and sealant programs in schools and senior centers: This bill passed the 2007 legislative session and development of an implementation plan and CR-101 pre-proposal package to begin rule-making is underway.
- 3.3. Staff Updates: Lisa Anderson reported several changes related to staffing. Ms. Deonna Chartrey has accepted a permanent position with Section #4. Reallocation and recruitment for her program support position will occur shortly. Section #3 will be recruiting and hiring a non-permanent credentialing manager and an additional Health Services Consultant #3 and support staff. There will be a shifting of program responsibilities among the program managers to absorb new workload created during the 2007 legislative session.
- 3.4. Memorandum of Understanding with University of Washington regarding remediation/skills assessments: Ms. Stair reported that Ms. Sandra Phillips has assumed responsibility for the University of Washington on this project, and that

revisions to the MOU are being made. The MOU is expected to be finalized in the near future.

- 3.5. Disciplinary Panel Restructure: Taylor Stair, Disciplinary Manager, suggested to the commission that a three panel structure may be preferable to the current two panel structure. She explained her reasons for suggesting this proposal and asked the commission to consider the concept. Two additional members will be added to the commission in July 2009 with the addition of two Expanded Function Dental Auxiliaries. It was also suggested that as a part of the 2008 legislative session, that WSDA might be willing to introduce and support a further expansion of the Commission to handle its extremely large workload.
- 3.6. DQAC appointment status: Lisa Anderson reported that Dr Abdul Alkezweeny and Dr. Mark Koday had been re-appointed to 4-year terms to end June 30, 2011. She further indicated that the Governor's office is currently interviewing applicants and fully expects to have appointments for the positions currently held by Dr. Davis and Dr. Peterson made by June 30, 2007.
- 3.7. Sanctioning Guidelines: After consideration of the presentation and materials provided at its April 13, 2007 meeting, the commission voted to accept the disciplinary sanctioning guidelines. Program staff will notify Trent Kelley, Senior Staff Attorney, who will notify the Senior Health Law Judge of the commission's acceptance of these guidelines.
- 3.8. 2008 DQAC Meeting Dates: The commission accepted the proposal and 2008 meeting dates will be February 7-9, March 20-22, May 1-3, June 12-13, July 24-26, September 11-13, October 23-25 and December 18-20, 2008. Staff will finalize and post these dates and disseminate to internal and external stakeholders. Locations will be determined and announced at a later date.
- 3.9 Ms. Taylor Stair presented an organization chart of her unit and the duties of each staff. The commission requested this be done for the full dental program once staffing is final.
- 3.10 Infection Control Inspection Report: The commission was presented with a draft of the suggested edits to the Infection Control Inspection form. They made additional edits which will be shared with Don Painter, Senior Investigator.
- 3.11 Mandatory Reporting, SHB 2974: Notice to participate in rulemaking. Citizen's Advocacy Center (CAC) Annual Meeting: October 29-31, Edgewater Inn in Seattle. Public members Drs. Abdul Alkezweeny and Bernie Nelson will participate in this conference. Staff will prepare registration materials for them. Washington is hosting the conference and this is a unique training opportunity for public members to participate.

4. RULE MAKING

- 4.1. Sexual Misconduct Rules for Dentists: A supplemental CR-102 is expected to be filed with the Code Reviser on June 20, 2007. A formal rules hearing will be held on July 26, 2007. The purpose of the re-filing of this rule package is to provide stakeholders the opportunity for additional review and comment due to the many changes that were made at the initial rules hearing on December 7, 2006.
- 4.2. Dental Anesthesia Rules: WAC 246-817-700 Series and WAC's 246-817-170, 175 and 180. Staff reported that CR-101's had been drafted to incorporate the 170, 175

and 180 rules into the 700 series. Staff will work with Dr. Quarnstrom to finalize a draft of the rules language to incorporate the recommendations of the Dental Anesthesia Committee into the existing rules. It is hoped this can be completed by the July 2007 meeting.

- 4.3. License related rules: A CR-101 pre-proposal package has been completed and is going through internal review.
- 4.4. SHB1689 – PGY-1 Dental Residency Pilot: The CR-101 pre-proposal package has been prepared and is going through internal review.
- 4.5. Current rule making project Matrix: The commission was provided with a matrix of all current rule making projects and their current status.

5. AMERICAN DENTAL ASSOCIATION (ADA), AMERICAN ASSOCIATION OF DENTAL ADMINISTRATORS (AADA), AMERICAN ASSOCIATION OF DENTAL EXAMINERS (AADE), DENTAL ASSISTANT NATIONAL BOARDS (DANB), NATIONAL PRACTITIONER DATA BANK (NPDB)

- 5.1 Letter dated April 30, 2007, from Dr. Stephen K. Young, Chair, Council on Dental Education and Licensure – 2006 House of Delegates Actions: Provided for information only.
- 5.2 Letter from Commission on Dental Accreditation (CODA), dated May 14, 2007, regarding July 26, 2007 meeting of the Commission on Dental Accreditation: Provided for information only.
- 5.3 Letter dated April 23, 2007, from Ronald C. Short, MDM, AADE Awards Committee, Western District Representative regarding the American Association of Dental Examiners “Citizen of the Year Award”: Provided for information only.
- 5.4 2007 ADA Annual Session Registration Packet, San Francisco, CA, September 27-30, provided for information only. Dentists participate at their own expense.
 - a. Additional: AADE Registration Information/SelectAttendees. Drs. Marshall Titus and Karen Homitz will represent DQAC at this meeting. Staff will prepare registration materials.
- 5.5 CODA: Additional call for Public Members – dated May 23, 2007, for information only.
- 5.6 NPDB-HIPDB Data Bank News Newsletter, April 2007, for information only.
- 5.7 Additional – Article regarding information on trends in the frequency, cost and causes of dental malpractice claims provided for information only.
- 5.8 Additional: The Bulletin, AADE Newsletter, Spring 2007, provided for information only.

6. REGIONAL BOARD UPDATES

- 6.1 Western Regional Examination Board (WREB) Letter dated April 3, 2007 from WREB Executive Committee – WREB Update.
- 6.2 Central Regional Dental Testing Service (CRDTS): Annual Meeting
 - 6.2a Additional: Additional information regarding CRDTS Annual Meeting/Attendees Dr.

Russell Timms, Dr. Robin Reinke, and Dr. Bruce Kinney will attend this conference. CRDTS pays expenses for six individuals to attend. The Dental Hygiene Examining committee will also send representatives.

6.3 Southern Regional Examining Board (SRTA) – No new information.

6.4 Northeast Regional Examining Board (NERB) – No new information

6.5 Council of Interstate Testing Agencies (CITA) – No new information

6.6 Other reports

6.7 Additional: WREB Newsletter – Spring 2007

6.8 Additional: Western Conference of Dental Examiners and Dental School Deans:

Select attendees: Dr. Jessica Saepoff will attend this conference. Staff will prepare registration materials and the annual report.

7 OTHER REPORTS

7.1 Dental Organization for Conscious Sedation (DOCS) training course: Dr. Davis was not present at the meeting although he indicated to staff he thought this was an exceptional and informative course.

8 CORRESPONDENCE

8.1 Letter dated May 16, 2007 from Washington State Dental Association requesting clarification on what level of Basic Life Support (BLS) course is required for dentists/staff. The commission discussed this issue and voted to discuss further at the July 26, 2007 meeting.

8.2. Staff shared a fax from NE Community Health in Colville requesting approval to host two fourth year dental residents from Baylor College of Dentistry for ten days in July/August. This request is similar to one granted to A. T. Still Health Sciences University last May. Colville clinic was asked to have a letter sent directly from Baylor College outlining this request. The Commission authorized Dr. Mark Koday, Chair to review the letter from Baylor College, once received, and to grant approval if it meets all required criteria. Liability for services will be maintained by Baylor College of Dentistry, the hosting site has three dentists who are on the adjunct faculty at Baylor and have been trained and calibrated, and Baylor is an ADA accredited dental school.

9 CONSENT AGENDA

In an effort to streamline the size of meeting packets, consent agenda items are provided via email upon request.

9.1. Article: Cheating scandal snares half of IU dental class (Indianapolis Star, May 8, 2007)

9.2. \$1 million gift boosts dental care for King County Children (Seattle PI, April 13, 2007).

9.3. Doctors associations vie to kill discipline controls (The Olympian, April 12, 2007)

9.4 Additional: Washington Physicians Health Program:

2006 Semiannual Report to DQAC was sent to members via e-mail due to its volume.
9.5 Additional: Chentix: New smoking cessation drug – provided for information only.

10. EXECUTIVE SESSION

There was no executive Session

11. BUSINESS MEETING ADJOURNMENT

With no further business the meeting was adjourned at 11:00 p.m. Disciplinary panels will begin at 7:00 a.m. on Friday, June 8, 2007 for Panel B, and at 8:00 a.m. for Panel A.

Respectfully Submitted By:

Lisa Anderson, Health Services Consultant 3

Commission Approval By:

Pramod Sinha, DDS – Acting Chair